

Filed for intro on 02/04/97  
SENATE BILL 254 By  
Elsea

HOUSE BILL 287  
By Walker

AN ACT to amend Chapter 46 of the Private Acts of 1953 relative to the Charter of the City of Dayton, Tennessee and all other acts amendatory thereof relative to the election of the city council and the school board for the Dayton City School.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Section 6 of Chapter 46 of the Private Acts of 1953 as amended by Section 6 of Chapter 267 of the Private Acts of 1953 and Section 1 of Chapter 188 of the Private Acts of 1994 is amended by deleting the existing Section 6 in its entirety and by substituting instead the following new Section 6:

SECTION 6. On the third Wednesday of April 1997, the Rhea County election commission shall hold an election by the qualified voters of Dayton at which time there shall be elected five (5) councilmen whose term of office shall begin on the first Monday in May 1997. The three (3) persons elected to office and receiving the highest, second highest, and third highest number of votes shall be elected to a term of four (4) years. For the purpose of beginning staggered terms of office, the two (2) persons elected to office and receiving the fourth and fifth highest number of votes shall be elected to an initial term of two (2) years. Rhea County election commission shall hold an election by the qualified voters of Dayton on the third Wednesday of April, 1999, at which time those council seats initially having a two (2) year term shall be elected to a four (4) year term. Thereafter, the Rhea County election commission shall hold an election every two (2) years on the third Wednesday in April by the qualified voters of Dayton. The terms of

\*78206241\*

78206241

\*001960\*

\*00196019\*

office for those persons elected to the council shall begin on the first Monday in May following the election. In the event of vacancy occurring in the first or subsequent city council, such vacancy shall be filled by the remaining councilmen and such appointed councilman shall serve the unexpired term of the predecessor in office.

No person shall be eligible to be elected to the office of councilman unless such person shall have been, for at least one (1) year next preceding election, a citizen of Tennessee and a resident of the city of Dayton. Further, no person shall be eligible to be elected to the office of councilman unless that person will be at least twenty-five (25) years of age on the date such person is sworn into office.

In all municipal elections held for the city of Dayton, Tennessee, only the following registered qualified persons shall be allowed to vote:

(A) Persons who have lived within the city limits of Dayton for six (6) months next preceding the election and who shall be qualified to vote for members of the general assembly.

(B)

(1) Persons residing outside of the city limits of Dayton and meeting the residency requirements prescribed by the election laws of the state of Tennessee and owning at least fifty percent (50%) fee simple interest in real property within the city limits of Dayton at the time the election and for a continuous period of six (6) months next preceding the date of the election.

(2) For the determination of fifty percent (50%) ownership, a qualified voter must be a registered owner holding at least fifty percent (50%) ownership to be entitled to vote. No more than two (2) voters are allowed per tract or parcel of land. If husband and wife are each owners of a fifty percent (50%) interest in a tract or parcel of land, only one (1) shall be allowed to vote (husband or wife).

(C) The qualified voter shall vote in the precinct assigned by the election commission and the voter shall, within the time required for registration of voters on such election obtain a certificate from the city of Dayton stating that the voter is a qualified voter in the upcoming election.

(D) A qualified voter residing outside of the city limits of Dayton shall not be entitled to run for or hold office as to any election position.

SECTION 2. Section 30 of Chapter 46 of the Private Acts of 1953 is amended by deleting the existing Section 30 in its entirety and by substituting instead the following new language:

SECTION 30. Election to the city council of the city of Dayton shall also be considered election to the board of education for the Dayton city school system. The mayor of the city of Dayton shall serve as the chairman of the board. All powers, duties, responsibilities, and obligations conferred under all laws and regulations relating to boards of education shall be vested to the mayor and city council when sitting in their capacity as the board of education. The board shall have the authority to appoint a superintendent for the school system to serve for a term not to exceed four (4) years. Such superintendent shall be eligible for reappointment to succeeding terms. The terms of office of the current board of education shall not be affected by the passage of this act.

SECTION 3. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Dayton city council before April 1, 1997. Its approval or nonapproval shall be proclaimed by the mayor of Dayton and certified by him to the secretary of state.

SECTION 4. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 3.

- AN ACT to amend Chapter 46 of the Private Acts of 1953 relative to the Charter of the City of Dayton, Tennessee and all other acts amendatory thereof relative to the election of the city council and the school board for the Dayton City School.
- AN ACT to amend Chapter 46 of the Private Acts of 1953 relative to the Charter of the City of Dayton, Tennessee and all other acts amendatory thereof relative to the election of the city council and the school board for the Dayton City School.
- AN ACT to amend Chapter 46 of the Private Acts of 1953 relative to the Charter of the City of Dayton, Tennessee and all other acts amendatory thereof relative to the election of the city council and the school board for the Dayton City School.
- AN ACT to amend Chapter 46 of the Private Acts of 1953 relative to the Charter of the City of Dayton, Tennessee and all other acts amendatory thereof relative to the election of the city council and the school board for the Dayton City School.